

CONFIDENTIAL - 244

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~~NY P1300CR20081339~~

LIST OF AUTHORITIES

Defendant,

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“The core purpose of the public records law is to allow the public access to official records and other government information so that the public may monitor the performance of government officials and their employees.” Lake v. City of Phoenix, 222 Ariz. 547, citing Griffis v. Pinal County, 215 Ariz. 1 and Phoenix Newspapers, Inc. v. Keegan, 201 Ariz. 344.

Cox Broadcasting Corp. v. Cohn, 420 U.S. 469, 495, 95 S.Ct. 1029, 1046, 43 L.Ed.2d 328 (1975): Public records by their very nature are of interest to those concerned with the administration of government, and a public benefit is performed by the reporting of the true contents of the records by the media; the freedom of the press to publish that

information is of critical importance to our type of government in which the citizenry is final judge of the proper conduct of public business. U.S.C.A.Const. Amends. 1, 14.

KPNX-TV v. Superior Court In and For County of Yuma, 183 Ariz. 589: Police investigative reports are “public records” subject to the public records access statute. A.R.S. § 39-121.01

Associated Press v. Labor Board, 301 U.S. 103 (1937) at 128: Interstate communication of a business nature, whatever the means employed, is interstate commerce.

In Re Kansas City Star Newspaper, 346 Mo. 658; Bouvier's 2nd Law Dictionary (3 Ed.), p. 3307: The gathering of news, its preparation and transmission, involve transactions of ... business outside the state... which are productive of income.”

Natl. Labor Relations Board v. Abell Co., 97 Fed. (2d) 954. “The Associated Press and North American Newspaper Alliance are instrumentalities through which the newspaper... conducts extensive business transactions outside of the state... citing: KVOS, Inc., v. Associated Press, 299 U.S. 272; Star-Chronicle Pub. Co. v. United Press Assn., 204 Fed. 221; Western Union Telegraph Co. v. Foster, 247 U.S. 112. The newspaper... would derive no income unless it gathered and printed the news. The circulation of newspapers and advertising outside of (the state) involves transactions of... business outside and partly within the state... which are productive of income. Post Ptg. & Pub. Co. v. Brewster, 246 Fed. 325; Konecky v. Jewish Press, 288 Fed. 181; Little v. Smith, 124 Kan. 237; State v. Salt Lake Tribune Pub. Co., 249 Pac. 475. The news dealers, distributors and carriers... are representatives of ... transactions... outside of the state... Caldwell v. North Carolina, 187 U.S. 632; Davis v. Commonwealth of Virginia,

236 U.S. 699; Rearick v. Pennsylvania, 203 U.S. 510; Swift & Co. v. United States, 196 U.S. 399; Taussig v. Mill & Land Co., 124 Mo. App. 216; Street v. Werthan Bag & Burlap Co., 198 Mo. App. 350, 200 S. W. 739; State v. Kramer, 206 Mo. App. 53, 226 S. W. 643. A newspaper's advertising (business) involves transactions performed partly in state ... and partly out of state... which are productive of income. Indiana Farmers Guide Publ. Co. v. Prairie Publ. Co., 293 U.S. 276; International Text Book Co. v. Pigg, 217 U.S. 91; International Text Book Co. v. Gillespie, 229 Mo. 413.

Stewart v. Rolling Stone LLC, 38 Media L. Rep. 1208: "...the magazine was engaging in commerce when publishing the article.

Petitioner respectfully requests the Court accept this List of Authorities as an aid to the Court and to economize the Court's valuable time during the November 23, 2010 hearing.

Respectfully Submitted



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I certify that a copy of the foregoing was delivered to Defendant's attorney, Western Newspaper Inc's attorney, and the Yavapai County Attorney.



William E. (Bill) Williams